BEST AVAILABLE CULY

DEC 1 3 2005

Docket No: 4605-001

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

JOHN BLUMENTHAL

Confirmation No. 3576

U.S. Patent Application No. 10/647,895

Group Art Unit: 3617

Filed: August 26, 2003

Examiner: Andrew Wright

For: METHOD OF AND APPARATUS FOR AERATING BODIES OF WATER

TRANSMITTAL OF APPEAL BRIEF SETTIFICATION OF FACSIMILE TRANSMISSION

THEREBY CERTIFY THAT THIS PAPER IS BEING FACSIMI-LE TRANSMITTED TO THE PATENT AND TRADEMARY. OFFICE

ON THE DATE SHOWN BELOW

Mail Stop Appeal Brief - Patents Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

TYPE OR PRINT NAME OF PERSON SIGNING CERTIFICATION

CACCIONE NUMBER

Submitted herewith is an Appeal Brief in support of the Notice of Appeal filed, as well as an After Final Amendment. A credit card authorization form is attached.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Kindly use the attorneys' address associated with the following Customer Number for future correspondence.

Respectfully submitted,

LOWE HAUPTMAN & BERNER, LLP

Allan M. Lowe

Registration No. 19,641

USPTO Customer No. 22429 1700 Diagonal Road, Suite 300 Alexandria, Virginia 22314 (703) 684-1111AML/tal (703) 518-5499 Facsimile Date: December 13, 2005